

*Massachusetts*—Henry L. Dawes and George F. Hoar.  
*Michigan*—Omar D. Conger and Thomas W. Palmer.  
*Minnesota*—Samuel J. R. McMillan and Dwight M. Sabin.  
*Mississippi*—James Z. George and Lucius Q. C. Lamar.  
*Missouri*—Francis M. Cockrell and George G. Vest.  
*Nebraska*—Charles F. Manderson and Charles H. Van Wyck.  
*Nevada*—James G. Fair.  
*New Hampshire*—Henry W. Blair and Austin F. Pike.  
*New Jersey*—John R. McPherson and William J. Sewell.  
*New York*—Elbridge G. Lapham and Warner Miller.  
*North Carolina*—Matt. W. Ransom and Zebulon B. Vance.  
*Ohio*—George H. Pendleton and John Sherman.  
*Oregon*—Joseph N. Dolph and James H. Slater.  
*Pennsylvania*—John I. Mitchell.  
*Rhode Island*—Nelson W. Aldrich.  
*South Carolina*—M. C. Butler and Wade Hampton.  
*Tennessee*—Isham G. Harris and Howell E. Jackson.  
*Texas*—Richard Coke and Sam. Bell Maxey.  
*Vermont*—George F. Edmunds and Justin S. Morrill.  
*Virginia*—William Mahone and Harrison H. Riddleberger.  
*West Virginia*—Johnson N. Camden and John E. Kenna.  
*Wisconsin*—Angus Cameron and Philetus Sawyer.

## NOTIFICATION TO THE HOUSE.

Mr. INGALLS submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled, and that the Senate is ready to proceed to business.

## NOTIFICATION TO THE PRESIDENT.

Mr. SHERMAN submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That a committee consisting of two members be appointed, to join such committee as may be appointed by the House of Representatives, to wait upon the President of the United States and inform him that a quorum of each House is assembled and that Congress is ready to receive any communication that he may be pleased to make.

By unanimous consent, the President *pro tempore* was authorized to appoint the committee on the part of the Senate; and Messrs. SHERMAN and BAYARD were appointed.

## HOUR OF MEETING.

Mr. HOAR submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the hour of the daily meeting of the Senate be 12 o'clock meridian until otherwise ordered.

## RECESS.

Mr. GARLAND (at 12 o'clock and 30 minutes p. m.). As I do not presume there can be anything done for a little while, until the other House is communicated with, I move that the Senate take a recess for one hour.

The motion was agreed to; and at the expiration of the recess (at 1 o'clock and 30 minutes p. m.) the Senate reassembled.

Mr. INGALLS. Mr. President, with a view of awaiting the complete organization of the House of Representatives, which is expected in a very brief time, and in order that we may receive, if possible, a communication from the President this afternoon, I move that the recess be continued until 3 o'clock.

The motion was agreed to; and at the expiration of the recess (at 3 o'clock p. m.) the Senate reassembled.

Mr. INGALLS. I move that the Senate do now adjourn.

The motion was agreed to; and (at 3 o'clock and 1 minute p. m.) the Senate adjourned.

## HOUSE OF REPRESENTATIVES.

MONDAY, December 3, 1883.

This being the day prescribed by the Constitution for the meeting of Congress, the members-elect of the House of Representatives of the Forty-eighth Congress assembled in their Hall, and at 12 o'clock p. m. were called to order by Hon. EDWARD MCPHERSON, Clerk of the last House.

The CLERK. Gentlemen, this is the hour for the meeting of the Forty-eighth Congress of the United States, and the Clerk of the House for the Forty-seventh Congress will proceed, as required by law, to call the roll of Representatives-elect who have complied with the law in furnishing proper credentials of their election.

The roll was then called, showing the presence of the following members:

## ALABAMA.

James T. Jones.  
 Hilary A. Herbert.  
 William C. Oates.  
 Charles M. Shelley.

Thomas Williams.  
 Goldsmith W. Hewitt.  
 William H. Forney.  
 Luke Pryor.

## ARKANSAS.

Clifton R. Breckinridge.  
 Poindexter Dunn.  
 James K. Jones.

John H. Rogers.  
 Samuel W. Peel.

## CALIFORNIA.

Charles A. Sumner.  
 John R. Glascock.  
 William S. Rosecrans.

James H. Budd.  
 Barclay Henley.  
 Pleasant B. Tully.

## COLORADO.

James B. Belford.

## CONNECTICUT.

William W. Eaton.  
 Charles L. Mitchell.

John T. Wait.  
 Edward W. Seymour.

## DELAWARE.

Charles B. Lore.

## FLORIDA.

Robert H. M. Davidson.

Horatio Bisbee, jr.

## GEORGIA.

Thomas Hardeman.  
 John C. Nicholls.  
 Henry G. Turner.  
 Charles F. Crisp.  
 Hugh Buchanan.

James H. Blount.  
 Judson C. Clements.  
 Seaborn Reese.  
 Allen D. Candler.

## ILLINOIS.

Ransom W. Dunham.  
 John F. Finerty.  
 George R. Davis.  
 George E. Adams.  
 Reuben Ellwood.  
 Robert R. Hitt.  
 Thomas J. Henderson.  
 William Cullen.  
 Lewis E. Payson.  
 Nicholas E. Worthington.

William H. Neece.  
 James M. Riggs.  
 William M. Springer.  
 Jonathan H. Rowell.  
 Joseph G. Cannon.  
 Aaron Shaw.  
 Samuel W. Moulton.  
 William R. Morrison.  
 Richard W. Townshend.  
 John R. Thomas.

## INDIANA.

John J. Kleiner.  
 Thomas R. Cobb.  
 Strother M. Stockslager.  
 William S. Holman.  
 Courtland C. Matson.  
 Thomas M. Browne.  
 Stanton J. Peelle.

John E. Lamb.  
 Thomas B. Ward.  
 Thomas J. Wood.  
 George W. Steele.  
 Robert Lowry.  
 William H. Calkins.

## IOWA.

Jeremiah H. Murphy.  
 David B. Henderson.  
 Luman H. Weller.  
 James Wilson.  
 John C. Cook.

John A. Kasson.  
 William P. Hepburn.  
 William H. M. Pusey.  
 Adoniram J. Holmes.  
 Isaac S. Struble.

## KANSAS.

Edmund N. Morrill.  
 Lewis Hanback.  
 Samuel R. Peters.

Bishop W. Perkins.  
 John A. Anderson.  
 Thomas Ryan.

## KENTUCKY.

Oscar Turner.  
 James F. Clay.  
 John E. Halsell.  
 Albert S. Willis.  
 John G. Carlisle.

Joseph C. S. Blackburn.  
 Philip B. Thompson, jr.  
 William W. Culbertson.  
 John D. White.  
 Frank L. Wolford.

## LOUISIANA.

Carleton Hunt.  
 E. John Ellis.  
 William P. Kellogg.

Newton C. Blanchard.  
 J. Floyd King.  
 Edward T. Lewis.

## MAINE.

Thomas B. Reed.  
 Nelson Dingley, jr.

Charles A. Boutelle.  
 Seth L. Milliken.

## MARYLAND.

George W. Covington.  
 J. Frederick C. Talbott.  
 Fetter S. Hoblitzell.

John V. L. Findlay.  
 Hart B. Holton.  
 Louis E. McComas.

## MASSACHUSETTS.

Robert T. Davis.  
 John D. Long.  
 Ambrose A. Ranney.  
 Patrick A. Collins.  
 Leopold Morse.  
 Henry B. Lovering.

Eben F. Stone.  
 William A. Russell.  
 Theodore Lyman.  
 William W. Rice.  
 William Whiting.  
 George D. Robinson.

## MICHIGAN.

William C. Maybury.  
 Nathaniel B. Eldredge.  
 Edward S. Lacey.  
 George L. Yapple.  
 Julius Houseman.  
 Edwin B. Winans.

Ezra C. Carleton.  
 Roswell G. Horr.  
 Byron M. Cutcheon.  
 Herschel H. Hatch.  
 Edward Breitung.

## MINNESOTA.

James B. Wakefield.  
 Horace B. Strait.

William D. Washburn.  
 Knute Nelson.

## MISSISSIPPI.

Henry L. Muldrow.  
 Elza Jeffords.  
 Hernando D. Money.

Otho R. Singleton.  
 Henry S. Van Eaton.  
 Ethelbert Barksdale.

## MISSOURI.

William H. Hatch.  
 Armstead M. Alexander.  
 Alexander M. Dockery.  
 James N. Burnes.  
 Alexander Graves.  
 John Cosgrove.  
 Aylett H. Buckner.

John J. O'Neill.  
 James O. Broadhead.  
 Richard P. Bland.  
 Charles H. Morgan.  
 Robert W. Fyan.  
 Lowndes H. Davis.

NEBRASKA.	
Archibald J. Weaver. James Laird.	Edward K. Valentine.
NEVADA.	
George W. Cassidy.	
NEW HAMPSHIRE.	
Martin A. Haynes.	Ossian Ray.
NEW JERSEY.	
Thomas M. Ferrell. J. Hart Brewer. John Kean, jr. Benjamin F. Howey.	William Walter Phelps. William H. F. Fiedler. William McAdoo.
NEW YORK.	
Henry W. Slocum. Perry Belmont. William E. Robinson. Darwin R. James. Felix Campbell. Nicholas Muller. Samuel S. Cox. William Dorsheimer. John J. Adams. John Hardy. Abram S. Hewitt. Orlando B. Potter. Waldo Hutchins. John H. Ketcham. Lewis Beach. John H. Bagley, jr. Thomas J. Van Alstyne.	Henry G. Burleigh. Frederick A. Johnson. Abraham X. Parker. Edward Wemple. George W. Ray. Charles R. Skinner. J. Thomas Spriggs. Newton W. Nutting. Frank Hiscock. Serenio E. Payne. James W. Wadsworth. Stephen C. Millard. John Arnot. Halbert S. Greenleaf. Robert S. Stevens. William F. Rogers. Francis B. Brewer.
NORTH CAROLINA.	
Risden T. Bennett. James E. O'Hara. Wharton J. Green. William R. Cox.	Alfred M. Scales. Clement Dowd. Tyre York. Robert B. Vance.
OHIO.	
John F. Follett. Isaac M. Jordan. Robert M. Murray. Benjamin Le Fevre. George E. Seney. William D. Hill. Henry L. Morey. J. Warren Keifer. James S. Robinson. Frank H. Hurd. John W. McCormick.	Alphonso Hart. George L. Converse. George W. Geddes. A. J. Warner. Beriah Wilkins. Joseph D. Taylor. William McKinley, jr. Ezra B. Taylor. David R. Paige. Martin A. Foran.
OREGON.	
Melvin C. George.	
PENNSYLVANIA.	
Mortimer F. Elliott. Henry H. Bingham. Charles O'Neill. Samuel J. Randall. William D. Kelley. Alfred C. Harmer. James B. Everhart. I. Newton Evans. Daniel Ermentrout. A. Herr Smith. William Mutchler. John B. Storm. Daniel W. Connolly. Charles N. Brumm.	Samuel F. Barr. George A. Post. William W. Brown. Jacob M. Campbell. Louis E. Atkinson. William A. Duncan. Andrew G. Curtin. Charles E. Boyle. James H. Hopkins. Thomas M. Bayne. George V. Lawrence. John D. Patton. Samuel H. Miller. Samuel M. Brainerd.
RHODE ISLAND.	
Henry J. Spooner.	Jonathan Chace.
SOUTH CAROLINA.	
Samuel Dibble. George D. Tillman. D. Wyatt Aiken. John H. Evans.	John J. Hemphill. George W. Dargan. Edmund W. M. Mackey.
TENNESSEE.	
Augustus H. Pettibone. Leonidas C. Houk. George G. Dibrell. Benton McMillin. Richard Warner.	Andrew J. Caldwell. John G. Ballentine. John M. Taylor. Rice A. Pierce. Casey Young.
TEXAS.	
Charles Stewart. John H. Reagan. James H. Jones. David B. Culbertson. James W. Throckmorton. Olin Wellborn.	Thomas P. Ochiltree. James F. Miller. Roger Q. Mills. John Hancock. Samuel W. T. Lanham.
VERMONT.	
John W. Stewart.	Luke P. Poland.
VIRGINIA.	
John S. Wise. Robert M. Mayo. Harry Libbey. George D. Wise. Benjamin S. Hooper.	George C. Cabell. John Randolph Tucker. John S. Barbour. Henry Bowen.
WEST VIRGINIA.	
Nathan Goff, jr. William L. Wilson.	Charles P. Snyder. Eustace Gibson.
WISCONSIN.	
John Winans. Daniel H. Sumner. Burr W. Jones. Peter V. Deuster. Joseph Rankin.	Richard Guenther. Gilbert M. Woodward. William T. Price. Isaac Stephenson.

When the State of Mississippi was reached in the call,  
The CLERK said: The Clerk wishes to make a statement respecting the second district of Mississippi, for which no enrollment has been made.

#### THE SECOND DISTRICT OF MISSISSIPPI.

The Clerk has not enrolled the name of any one as a Representative for the second district of Mississippi, for the reason that no paper which can be considered a certificate of election in the sense of the law has been presented to him.

Hon. James R. Chalmers, who claims to have been elected in that district, has filed with the Clerk four "exhibits" in support of his claim to be enrolled as a Representative-elect.

Exhibit A is a certified copy of the canvass made on the 18th of November, 1882, by the secretary of state of Mississippi of the votes cast in that district, which canvass gave—

	Votes.
Mr. Van H. Manning	8,749
Mr. J. R. Chalmers	8,257
Mr. H. C. Carter	129
Mr. J. R. Chambless	1,472
Scattering	1

In this canvass the county of Tate is counted as 1,166 for Mr. Manning, none for Mr. Chalmers, 3 for Mr. Carter, and 1,472 for Mr. Chambless.

Exhibit B is a certified copy of the return made November 11, 1882, by the commissioners of election for Tate County, which certifies that in that county—

	Votes.
Mr. Van H. Manning received	1,166
Mr. James R. Chalmers received	1,472
Mr. Hannibal C. Carter received	3

This return is signed by the three commissioners of election of Tate County.

On the back of it is a copy of the tally-list, which is referred to in the return as a "true and correct" tally-sheet of the votes cast for Congress by precincts, and which gives this total for that county:

	Votes.
Mr. Van H. Manning	1,166
Mr. J. R. Chambless	1,472
Mr. H. Carter	3

Exhibit C is a certified copy of another certificate signed by the same commissioners, and made on the 18th day of November, 1882, stating that the "true and correct" list of the returns of the vote in Tate County is as follows:

	Votes.
Mr. Van H. Manning	1,166
Mr. James R. Chalmers	1,472
Mr. H. C. Carter	3

The secretary of state, while certifying to the correctness of the transcript of the paper last referred to, states that it reached his office November 21, 1882, and that he does not regard or recognize it as constituting any part of the official papers or documents in his office.

Exhibit D is an affidavit of J. M. Williams to the effect that, as one of the clerks of the commissioners of election, he made out the tally-sheet first referred to, and he swears that there was no vote returned for J. R. Chambless, and that he intended to make out the tally of said vote for J. R. Chalmers; that he still believes that he wrote J. R. Chalmers and not J. R. Chambless on said tally-sheet; but if mistaken in this, he swears that it was a clerical error on his part, and that the vote returned on said tally-sheet was in fact and truth cast and returned for J. R. Chalmers.

These papers, separately considered, show that there was a clerical error in the tally-list accompanying the return of the commissioners of Tate County, made November 11, 1882, in that the recitals of the return and of the tally-list differ as to the name of the person who received the 1,472 votes in question; and that on the 18th of November, 1882, the same commissioners of election sent another paper, which corrected the tally-list as to this fact, and made its recital of name harmonize with that of the return, which correction of error, however, reached the office of the secretary of state November 21, 1882, or three days after said officer had made his canvass, as appears from Exhibit A, duly certified by himself.

Whatever may be the judgment upon the facts hereby revealed, these papers, taken singly or together, afford the Clerk of the House no sufficient ground for the enrollment of Mr. Chalmers as a Representative-elect, because they do not form a compliance with the plain requirements of the law.

If the governor of Mississippi issued a certificate of election to any one, based upon the canvass made by the secretary of state on the 18th of November, 1882, for the second district, it has not been presented to the Clerk, who submits to the House the papers in his possession, with his reasons for having failed to enroll any one.

#### FIRST DISTRICT OF NORTH CAROLINA.

When the first district of North Carolina was reached—  
The CLERK said: With regard to the first district of North Carolina, the Clerk has information that Mr. Walter R. Pool, who was elected



at the November election of 1882 to represent it, died on the 25th of August, 1883. No certificate of the election of a successor has been filed with the Clerk.

#### SEVENTH DISTRICT OF VIRGINIA.

When the seventh district of Virginia was reached in the call—

The CLERK said: The Clerk advises the House, respecting the seventh district of Virginia, that Hon. John Paul, elected to represent it, resigned his office, to take effect September 5, 1883.

The following members failed to answer to their names:

Mr. HAMMOND of Georgia, Mr. MCCOY of Iowa, Mr. HASKELL of Kansas, Mr. ROBERTSON of Kentucky, Mr. WHITE of Minnesota, and Mr. CLARDY of Missouri.

The CLERK. Three hundred and seventeen members have answered to their names—more than a quorum.

#### LIST OF CHANGES SINCE THE ELECTION.

The CLERK. Of interest to members and as a matter of permanent record the Clerk presents in tabulated form the changes in the list of members since the election of the Forty-eighth Congress, and requests it be incorporated in the RECORD. It is as follows:

#### List of changes since the election of Forty-eighth House of Representatives.

District.	Name.	Date of vacancy.	Successor.
First Alabama.....	Thomas H. Herndon*	March 28, 1883	James T. Jones.
Sixth Iowa.....	Marsena E. Cutts*	Aug. 31, 1883	John C. Cook.
Sixth Louisiana.....	Andrew S. Herron*	Nov. 27, 1882	Edward T. Lewis.
First North Carolina.....	Walter R. Pool*	Aug. 25, 1883	
Seventeenth Ohio.....	Jonathan T. Updegraff.*	Nov. 30, 1882	Joseph D. Taylor.
Seventh Virginia.....	John Paul†.....	Sept. 5, 1883	
Third West Virginia.....	John E. Kennaf†.....	March 4, 1883	Charles P. Snyder.

\*Died.

†Resigned.

#### ADMISSION TO THE HALL.

Mr. COX, of New York. Mr. Clerk, I desire to present a motion as a matter of courtesy and at the request of many members of the House around me. I ask consent to move that admission to the lobbies and to the floor of the House in rear of the seats be accorded to the families of members and other ladies accompanying them during to-day. The corridors around the Hall are thronged and crowded to their utmost capacity, and the ladies connected with the families of members are unable to gain an entrance. I submit the motion hoping that it will be adopted as an act of simple courtesy to these ladies, and I believe it is not unusual to present such a motion pending the organization of the House.

The CLERK. The gentleman from New York submits a motion that the doors of the Hall be opened for the admission of the families of members in order that they may occupy the space in the rear of the seats.

The motion was not agreed to.

Mr. COX, of New York. I call for a division.

The CLERK. The Clerk will state to the gentleman from New York that this motion is entertained only by unanimous consent.

Several members objected.

Mr. COX, of New York. I did not believe that any member present would object to the motion, but since objection has been made I withdraw it.

Mr. SINGLETON. Mr. Clerk, I desire to submit a motion that the executive gallery be opened for the admission of the families of members.

The motion was agreed to.

#### ELECTION OF SPEAKER.

The CLERK. The Clerk is now ready to receive nominations for the office of Speaker of the House of Representatives.

Mr. GEDDES. Mr. Clerk, I nominate for the Speaker of this House for the Forty-eighth Congress Hon. JOHN G. CARLISLE, a Representative-elect from the State of Kentucky, a man of acknowledged pre-eminent qualifications for the office.

Mr. CANNON. Mr. Clerk, I nominate for Speaker of this House Hon. J. WARREN KEIFER, a Representative-elect from the State of Ohio.

The CLERK. If there are no further nominations, the House will proceed to the election of a Speaker. The names of the members will be called.

Mr. LYMAN. I nominate for Speaker Mr. GEORGE D. ROBINSON, a member-elect from the State of Massachusetts.

The CLERK. No further nominations being made, the Clerk will request Mr. MORRISON of Illinois, Mr. TUCKER of Virginia, Mr. REED of Maine, and Mr. CALKINS of Indiana to act as tellers for the election of Speaker.

The tellers took their places at the Clerk's desk.

The CLERK. The rules of the House provide that the vote for Speaker shall be *viva voce*. The roll will be called and members will respond to their names by announcing their choice for Speaker.

The roll was called, with the following result:

#### For Mr. John G. Carlisle, of Kentucky—190.

Adams, J. J.	Dockery,	King,	Seney,
Aiken,	Dorsheimer,	Kleiner,	Seymour,
Alexander,	Dowd,	Lamb,	Shaw,
Arnot,	Duncan,	Lanham,	Shelley,
Bagley,	Dunn,	Le Fevre,	Singleton,
Ballentine,	Eaton,	Lewis,	Slocum,
Barbour,	Eldredge,	Lore,	Snyder,
Barksdale,	Elliott,	Lovering,	Spriggs,
Beach,	Ellis,	Lowry,	Springer,
Belmont,	Ermentrout,	McAdoo,	Stevens,
Bennett,	Evins, J. H.	McMillin,	Stewart, C.
Blackburn,	Ferrell,	Matson,	Stockslager,
Blanchard,	Fiedler,	Maybury,	Storm,
Bland,	Findlay,	Miller, J. F.	Sumner, C. A.
Blount,	Finerty,	Mills,	Sumner, D. H.
Boyle,	Follett,	Mitchell,	Talbott,
Breckinridge,	Foran,	Money,	Taylor, J. M.
Broadhead,	Forney,	Morgan,	Thompson,
Buchanan,	Fran,	Morrison,	Throckmorton,
Buckner,	Geddes,	Morse,	Tillman,
Budd,	Gibson,	Moulton,	Townshend,
Burnes,	Glascok,	Muldraw,	Tucker,
Cabell,	Graves,	Muller,	Tully,
Caldwell,	Green,	Murphy,	Turner, H. G.
Campbell, F.	Greenleaf,	Murray,	Turner, Oscar
Candler,	Halsell,	Mutcher,	Van Alstyne,
Carleton,	Hancock,	Necce,	Vance,
Cassidy,	Hardeman,	Nicholls,	Van Eaton,
Clay,	Hardy,	Oates,	Ward,
Clements,	Hatch, W. H.	O'Neill, J. J.	Warner, A. J.
Cobb,	Hemphill,	Paige,	Warner, Richard
Collins,	Henley,	Patton,	Wellborn,
Connolly,	Herbert,	Pierce,	Weller,
Converse,	Hewitt, A. S.	Peel, S. W.	Wemple,
Cook,	Hewitt, G. W.	Post,	Wilkins,
Cosgrove,	Hill,	Potter,	Williams,
Covington,	Hoblitzell,	Pryor,	Willis,
Cox, S. S.	Holman,	Pusey,	Wilson, W. L.
Cox, W. R.	Hopkins,	Randall,	Winans, E. B.
Crisp,	Houseman,	Rankin,	Wise, G. D.
Culbertson, D. B.	Hunt,	Reagan,	Wolford,
Curtin,	Hurd,	Reese,	Wood,
Dargan,	Hutchins,	Riggs,	Woodward,
Davidson,	Jones, B. W.	Robinson, W. E.	Worthington,
Davis, L. H.	Jones, J. H.	Rogers, J. H.	Yaple,
Deuster,	Jones, J. K.	Rogers, W. F.	Young.
Dibble,	Jones, J. T.	Rosecrans,	
Dibrell,	Jordan,	Scales,	

#### For Mr. J. Warren Keifer, of Ohio—113.

Adams, G. E.	Evans, I. N.	Libbey,	Reed,
Anderson,	Everhart,	Long,	Rice,
Atkinson,	George,	Mackey,	Robinson, J. S.
Barr,	Goff,	McComas,	Rowell,
Bayne,	Guenther,	McCormick,	Russell,
Belford,	Hanback,	McKinley,	Ryan,
Bingham,	Harmer,	Mayo,	Skinner, C. R.
Bisbee,	Hart,	Millard,	Smith,
Boutelle,	Hatch, H. H.	Miller, S. H.	Spooner,
Bowen,	Haynes,	Milliken,	Steele,
Brainerd,	Henderson, D. B.	Morey,	Stephenson,
Breitung,	Henderson, T. J.	Morrill,	Stewart, J. W.
Brewer, F. B.	Hepburn,	Nelson,	Stone,
Brewer, J. H.	Hiscock,	Nutting,	Strait,
Browne, T. M.	Hitt,	O'Hara,	Struble,
Brown, W. W.	Holmes,	O'Neill, Charles	Taylor, E. B.
Burleigh,	Hooper,	Parker,	Taylor, J. D.
Calkins,	Horst,	Payne,	Thomas,
Calkins,	Houk,	Payson,	Valentine,
Campbell, J. M.	Howey,	Peelle, S. J.	Walt,
Cannon,	Jeffords,	Perkins,	Wakefield,
Chace,	Johnson,	Peters,	Washburn,
Culbertson, W. W.	Kean,	Pettibone,	Weaver,
Cullen,	Kelley,	Phelps,	Whiting,
Cutcheon,	Kellogg,	Poland,	Wilson, James
Davis, G. R.	Ketcham,	Price,	Wise, J. S.
Davis, R. T.	Lacey,	Ranney,	
Dingley,	Laird,	Ray, G. W.	
Dunham,	Lawrence,	Ray, Ossian,	
Ellwood,			

#### For Mr. George D. Robinson—2.

James. Lyman.

#### For Mr. Lacey—1.

White, J. D.

#### For Mr. Wadsworth—1.

Ochiltree.

#### For Mr. John S. Wise—1.

York.

#### Not voting—13.

Brumm,	Holton,	Robertson,	Winans.
Clardy,	Kasson,	Robinson, G. D.	
Hammond,	Keifer,	Wadsworth,	
Haskell,	McCoid,	White, Milo,	

Mr. MORRISON. Mr. Clerk, on behalf of the tellers appointed to canvass the vote for Speaker, I am directed to report that the tellers have agreed in their tally and the result is as follows:

Whole number of votes cast, 308. Of this number Mr. CARLISLE has received 190 votes; Mr. KEIFER 113 votes; Mr. ROBINSON of Massachusetts, 2 votes; and Mr. WADSWORTH, Mr. JOHN S. WISE, and Mr. LACEY, 1 vote each.

The CLERK. The gentleman from Illinois [Mr. MORRISON], on be-

half of the tellers appointed to canvass the vote for Speaker, reports that they have agreed in their tally, and that the whole number of votes cast is 308. The number necessary to a choice is 155. Of the total number of votes cast, Hon. JOHN G. CARLISLE, a member-elect from the State of Kentucky, has received 190 votes; Hon. J. WARREN KEIFER received 113 votes; Hon. GEORGE D. ROBINSON, 2 votes; Hon. J. W. WADSWORTH, 1 vote; Hon. E. S. LACEY, 1 vote, and Hon. JOHN S. WISE, 1 vote. Mr. CARLISLE having received 190 votes is hereby declared the duly elected Speaker of the House of Representatives for the Forty-eighth Congress. [Applause on the Democratic side.] Hon. SAMUEL J. RANDALL and Hon. J. WARREN KEIFER will please escort the Speaker-elect to the chair.

Mr. RANDALL and Mr. KEIFER conducted Mr. CARLISLE to the chair, when the Speaker-elect addressed the House as follows:

*Gentlemen of the House of Representatives:* I thank you sincerely for the high honor conferred upon me by the vote just taken. To be chosen from the membership of a great body like this to preside over its deliberations is a distinction upon which any citizen might properly congratulate himself; and I assure you that your kindness and partiality are fully appreciated. At the same time, I realize the fact that the position to which you have assigned me is one of very great labor and responsibility; and, while profoundly grateful to you for this manifestation of your confidence, I shall enter upon the discharge of its duties with a serious distrust of my capacity to meet in an acceptable manner the requirements of the office. I promise, however, to devote to your service all the zeal and all the ability of which I am possessed.

Gentlemen, the maintenance of order upon the floor is essential—absolutely essential—to the intelligent and systematic transaction of the public business, and I earnestly invoke your assistance in the enforcement of the rules adopted for the government of our proceedings. The large addition to the membership of this House resulting from the reapportionment of representation makes this duty even more difficult than it has been heretofore; and without your cordial co-operation and support I can not reasonably hope even to discharge the ordinary daily duties of this office. That you will cheerfully co-operate with me in every proper effort to preserve order, and to facilitate the business of legislation, I have no doubt. But, gentlemen, I shall ask something more of you than mere co-operation in the correct discharge of my official duties. Assuring you of my earnest desire at all times to be just and impartial, still I can not expect to avoid mistakes, and shall be compelled therefore frequently, no doubt, to rely upon the friendly forbearance of gentlemen upon both sides of the House.

I am sure, gentlemen, that all matters of legislation presented during this Congress will receive from you such careful consideration as the magnitude and character of the interests involved require, and that your action upon them will be wise, conservative, and patriotic. Sudden and radical changes in the laws and regulations affecting the commercial and industrial interests of the people ought never to be made unless imperatively demanded by some great public emergency, and in my opinion, under existing circumstances, such changes would not be favorably received by any considerable number of those who have given serious attention to the subject. [Applause on the Democratic side.] Many reforms are undoubtedly necessary, and it will be your duty, after a careful examination of the whole subject in all its bearings, to decide how far they shall extend, and when and in what manner they shall be made. If there are any who fear that your action upon this or any other subject will be actually injurious to any interest, or even afford reasonable cause for alarm, I am quite sure that they will be agreeably disappointed. [Renewed applause upon the Democratic side.]

What the country has the right to expect is strict economy in the administration of every department of the Government, just and equal taxation for public purposes, a faithful observance of the limitations of the Constitution, and a scrupulous regard for the rights and interests of the great body of the people, in order that they may be protected, so far as Congress has the power to protect them, against encroachment from every direction. Whatever can be done under the circumstances surrounding us to meet this expectation ought to be done, in my judgment.

But, gentlemen, without detaining you further, I am ready to take the oath of office prescribed by the Constitution and the laws, and proceed to complete the organization of the House.

Mr. KELLEY, having served longest continuously as a member of the House, administered to the Speaker-elect the oath prescribed.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, informed the House that a quorum of the Senate had assembled, and that the Senate was ready to proceed to business.

The message further announced that the Senate had appointed a committee to join such committee as might be appointed by the House of Representatives to wait on the President of the United States and inform him that a quorum of each House had assembled and that Congress was ready to receive any communication he might be pleased to make, and that Mr. SHERMAN and Mr. BAYARD had been appointed such committee on the part of the Senate.

#### SWEARING IN OF MEMBERS.

The SPEAKER proceeded to administer to the members in attendance the oath of office. The members presented themselves, as their names were called by States, and took respectively the test-oath prescribed by the act of July 2, 1862, or the special oath provided in the act of July 11, 1868, for those whose disabilities under the fourteenth article of the amendments to the Constitution of the United States have been removed by a vote of two-thirds of each House of Congress.

When the State of Kansas was called,

Mr. SPRINGER said: I ask that Mr. PETERS, who claims to be sworn as a Representative at large from the State of Kansas, shall stand aside for the present.

The SPEAKER. The gentleman will stand aside for the present.

The Clerk having completed the call of the roll of members-elect for the administration of the oath of office,

The SPEAKER said: When Mr. PETERS appeared, claiming to be sworn as a Representative-elect from the State of Kansas, he was asked to stand aside for the present. Unless there be further objection the gentleman, if present, will take the oath of office.

Mr. SPRINGER. The governor of the State of Kansas has placed in my hands or forwarded to me a memorial, signed by himself and other State officers of the State of Kansas and a large number of the citizens of that State, protesting against the admission of Mr. PETERS to a seat as a member of this House, on the ground that under the constitution and laws of the State of Kansas he is ineligible to hold that office.

I will ask that this memorial be printed in the RECORD, except the names. I will also offer a resolution in reference to this subject, and after that I will withdraw my objection to the oath being administered to the gentleman from Kansas.

The SPEAKER. If there be no objection the memorial referred to by the gentleman from Illinois will be printed in the RECORD without the names.

There was no objection. The memorial, without the names, is as follows:

STATE OF KANSAS, EXECUTIVE DEPARTMENT,  
Topeka, November 31, 1883.

To the House of Representatives United States, Washington, D. C.:

We, State officers and members of the Democratic party of the State of Kansas, most respectfully protest against the admission of Judge S. R. Peters, of this State, to a seat in your honorable body, and protest against him being allowed to take the oath as a member of the House.

Judge S. R. Peters was elected judge of the ninth judicial district of the State of Kansas in November, 1879. His term of office commenced in January, 1880, for four years, ending January, 1884.

Section 13, article 3, of the constitution of the State of Kansas reads as follows:

"The justices of the supreme court and judges of the district court shall at stated times receive for their services such compensation as may be provided by law, which shall not be increased during their respective term of office: *Provided*, Such compensation shall not be less than fifteen hundred dollars to each justice or judge each year, and such justices or judges shall receive no fees or perquisites, nor hold any other office of profit or trust under the authority of the State or the United States during the term of office for which said justices and judges shall be elected, nor practice law in any of the courts in the State during their continuance in office."

This was the constitution under which Kansas was admitted into the Union, assented to by Congress in the act of admission, and is a part of the compact between the United States, and the State of Kansas.

Under this provision of our constitution, assented to by Congress, Judge S. R. Peters cannot hold a seat in your honorable body, nor can he take the oath as a member without a clear violation of our constitution. This was well known to the electors of Kansas when Judge Peters was voted for in November, 1882.

The Legislature of the State of Kansas, in the face of this election, in order to give a legislative construction to the constitution, passed without opposition the following law, approved March 8, 1883:

An act to preserve the purity of the judiciary.

Be it enacted by the Legislature of the State of Kansas:

SECTION 1. That all ballots or votes cast at any election for any person holding the office of judge of the district court, or of justice of the supreme court, except for a judicial office, shall be deemed and held void, and shall not be counted by the judges and clerks of any election, nor by any canvassing board, nor shall any record of the same be made by any canvassing board, nor any certificate of election be issued thereon.

SEC. 2. Any person violating the provisions of this act shall be deemed and held to be guilty of a misdemeanor, and on conviction thereof shall be imprisoned in the county jail not less than three nor more than six months.

SEC. 3. This act shall take effect on its publication in the statute-book.

Approved March 8, 1883.

I hereby certify that the foregoing is a true and correct copy of the original bill now on file in my office.

JAMES SMITH,  
Secretary of State.

Had this law been passed previous to the election in 1882 the vote for S. R. Peters would not have been counted, and the next highest on the list of candidates for Representatives for Congress (Hon. S. N. Wood) would have been declared elected and have held the certificate.

This law does not in any particular change the constitution, but does, in fact, put a legislative construction on it, under which Judge Peters is not entitled to his seat.

Mr. SPRINGER. I offer the resolution which I send to the desk.

The Clerk read as follows:

Resolved, That the memorial of the governor of the State of Kansas and of other officers and citizens in said State, and all papers presented to the Clerk in reference to the election and qualification of Hon. S. R. Peters, of said State, be referred to the Committee on Elections, when appointed, with instructions to



report to the House, at the earliest time practicable, whether Mr. Peters is eligible to a seat in this House; and if not, whether Hon. S. N. Wood, the contestant, is entitled to the seat.

Mr. CALKINS. Before moving to lay upon the table the resolution just offered, which it is my purpose to do, I desire to make a statement to the House. But before I make the statement I will ask the gentleman from Illinois [Mr. SPRINGER] whether, in objecting to the swearing in of this member from Kansas now, he admits that the credentials which he presents from his State are perfect in form. I will ask the Clerk to read them.

Mr. SPRINGER. I have stated I will not make further objection to the gentleman being sworn in.

Mr. KASSON. Then I move as a matter of privilege that the gentleman be sworn in.

Mr. CALKINS. The objection to the gentleman being sworn in being withdrawn, I will move, not that the resolution do lie upon the table, but that it go to the Committee on Elections when appointed.

Mr. SPRINGER. I will state it is perfectly immaterial to me whether the oath be now administered or the resolution be first considered.

The SPEAKER. The Chair was about to suggest that the qualification of a member being a matter of the very highest privilege, perhaps the oath should be first administered, and then the gentleman from Illinois [Mr. SPRINGER] can offer his resolution.

Mr. SPRINGER. I will withdraw the resolution until the oath has been administered.

Mr. PETERS then presented himself, and qualified by taking the oath prescribed by section 1756 of the Revised Statutes.

Mr. SPRINGER. I now move the resolution which was read by the Clerk a few moments ago.

The SPEAKER. Unless the gentleman from Illinois [Mr. SPRINGER] insists upon the immediate consideration of his resolution the Chair will direct the Clerk to call the names of the Delegates from the Territories, that they may be qualified.

Mr. SPRINGER. I will withdraw the resolution for that purpose.

Mr. CONVERSE. I desire to present a question of high privilege. When the Clerk of this House was calling the roll this morning, referring to the vacancy in the second district of the State of Mississippi he stated that if the certificate from the governor issued to Van H. Manning had been presented to him he should have filed it and placed the name of Mr. Manning upon the roll.

For reasons which were satisfactory to Mr. Manning, he chose not to present that certificate until some action had been taken on the part of the House. This morning I called upon the attorney of Mr. Manning and asked permission to present his credentials to the House for such action as the House might see proper to take in relation to that vacancy.

It has been the custom, Mr. Speaker, to have no vacancy except where absolutely necessary. The second Congressional district of Mississippi is entitled to a Representative on this floor. I believe it has been the policy of this House, by an unbroken chain of precedents, to seat the member who may have the certificate of the governor.

I have here the certificate issued by the governor of Mississippi to Mr. Manning, and I ask that it be read by the Clerk. I desire then to offer a resolution which I hold in my hand in relation to the matter.

Mr. SPRINGER. I withdrew my resolution for the purpose suggested by the Speaker, the swearing in of the Delegates from the Territories.

Mr. CONVERSE. I will state that the certificate is in the usual form of certificates from that State; the same exactly, I believe, as presented by the other gentlemen from that State.

Mr. KEIFER. Of course there can be no objection to the reading of this certificate, if it be proposed to submit any motion with reference to the swearing in of the gentleman referred to. But I desire to state to the House that Mr. Manning himself never accepted that certificate. And I will state further, if it is to be treated as accepted, that he has put upon the files of the House a statement which shows that he was beaten in that election by 980 votes. That is in his answer as formally filed; and he has also stated in that answer, in effect, that he would not ask to be seated on that certificate.

Now, do gentlemen propose to force him to do that which he would not himself do? That is the question which I desire to ask. Does the gentleman from Ohio [Mr. CONVERSE] propose to require Mr. Manning to be sworn in against his will?

Mr. CONVERSE. After the reading of the certificate I will submit a resolution, and then we can discuss the question of fact when we come to that. Our claim is that Mr. Manning not only holds the certificate and is therefore *prima facie* entitled to the seat, but that upon the contest he will be shown to be in fact entitled to the seat. I ask for the reading of the certificate.

Mr. KEIFER. I do not object to the certificate being read.

Mr. CALKINS. Before the certificate is read I desire to correct one statement which the gentleman from Ohio [Mr. CONVERSE] made with reference to the statement of the Clerk, inasmuch as the Clerk himself can not make the correction. I did not understand the Clerk to say that had General Manning presented his credentials to him he would have put his name on the roll. I make that statement in justice to the Clerk.

Mr. CONVERSE. I think the record will show that he did state exactly what I said. That is immaterial, however. I ask that the credentials be read.

The SPEAKER. The credentials will be read.

Mr. SPRINGER. In acceding to the request of the Speaker, who said that he desired to administer the oath to the Delegates from the Territories, after which my resolution would be in order, I did not yield for any other business to take precedence. I therefore ask that the matter referred to by the gentleman from Ohio [Mr. CONVERSE] be withheld until the Delegates have been qualified.

The SPEAKER. The Chair does not know what motion the gentleman from Ohio [Mr. CONVERSE] proposes to submit. If it is a motion to administer the oath to Mr. Manning as a member-elect of this House, it would of course take precedence over the swearing in of the Delegates and over the matter proposed to be submitted by the gentleman from Illinois [Mr. SPRINGER]. Until the motion of the gentleman from Ohio is submitted it will be impossible for the Chair to decide.

Mr. CONVERSE. I submit the resolution which I send to the desk, on which I demand the previous question.

Mr. COX, of New York. I rise to a question of order. The reading of the *prima facie* certificate is a question of privilege; when that has been read we shall see what is next in order.

The SPEAKER. The Chair understood there was no objection to the reading of the certificate; but the gentleman from Illinois [Mr. SPRINGER] claims that he had yielded his right to the floor simply for the purpose of having the oath administered to the Delegates from the Territories.

Mr. COX, of New York. But, as I understand, my friend from Ohio [Mr. CONVERSE] proposes to offer his resolution before the credentials are read.

The SPEAKER. If there be no objection the certificate will be read, and then the Chair will hear what is the nature of the motion of the gentleman from Ohio before determining whether or not it has precedence over that submitted by the gentleman from Illinois.

The Clerk read as follows:

*State of Mississippi to all to whom these presents shall come, greeting:*

Whereas it appears by the returns received at the office of the secretary of state, as certified to me by that officer, that Van H. Manning is duly and constitutionally elected to the office of Representative in and to the Forty-eighth Congress from the second Congressional district of the State of Mississippi: Now know ye, that in consequence thereof, and by virtue of the constitution and laws of this State, we do authorize and empower him, the said Van H. Manning, to execute and fulfill the duties of that office according to law, and to have and to hold said office, with all the powers, privileges, and emoluments to the same of right belonging, for the term prescribed by law.

In testimony whereof, I, Robert Lowry, governor of the State aforesaid, have caused these letters to be made patent, and the great seal of the State to be hereunto affixed.

Given under my hand at the city of Jackson the 18th day of November, in the year of our Lord 1882.

ROBERT LOWRY.

By the governor:

HENRY C. MYERS,  
Secretary of State.

Mr. KEIFER. Mr. Speaker, I desire to have read in this connection, and with the same purpose, the other papers which have been filed with the Clerk—papers in the nature of certificates showing the result of the election—all the papers pertaining to this matter.

The SPEAKER. Is there objection to reading all the other papers?

Mr. COX, of New York, and Mr. CONVERSE objected.

The SPEAKER. The gentleman would have the right to have them read in his own time.

Mr. KEIFER. I do not refer to the testimony, but to the certificates of the canvassing board showing the result of the election. This is not a paper which has been filed with the Clerk; the others are.

Mr. CONVERSE. I object.

Mr. CALKINS. I rise to a question of order.

The SPEAKER. The gentleman will state it.

Mr. CALKINS. The question of order I make is this: The Clerk has stated to the House that there are other papers, certificates filed by General Chalmers claiming this seat; and that statement having been made, the House, before it swears in either of these gentlemen on the *prima facie* case, has the right to have those certificates read.

Mr. CONVERSE. I ask that my motion be put.

The SPEAKER. The Chair has no question that the House or any member has the right to have all the papers read when there is a motion before the House in reference to this matter—

Mr. CONVERSE. I make my motion.

The SPEAKER. The gentleman from Ohio has sent up his motion in writing, and when it has been read all the papers, of course, will come before the House in the consideration of the matter.

Mr. CALKINS. But, Mr. Speaker, if the motion of the gentleman from Ohio is to be followed, as I understood him to indicate, by a demand of the previous question, then I ask whether the question of order could properly be raised at that point? If it could—if our rights are saved—that is all we desire.

Mr. KEIFER. Does the gentleman from Ohio propose to move the previous question?

Mr. CONVERSE. "Sufficient unto the day is the evil thereof."

Mr. CALKINS. The gentleman from Ohio, as I understand, showed a disposition to move the previous question on his resolution, which

would of course cut off debate upon it. Now the question is whether the Chair would hold that the reading of these other certificates would be in the nature of debate. To save this question of order, and in view of the statement made by the Clerk of this House that other certificates have been filed in his office asking that the name of General Chalmers be put upon the roll as the member from the second district of Mississippi, I demand that those certificates be read as well as that submitted by the gentleman from Ohio before action be taken upon the resolution and before either claimant to the seat be sworn in. It is this point of order which I desire to save.

The SPEAKER. The Chair dislikes, of course, to decide absolutely any question of order before it arises; but from present information the Chair would be inclined to hold that the reading of those papers, they being mere matters of evidence, would be in the nature of debate.

Mr. CALKINS. That was the point I was fearful of; and for this reason I desire to raise now the point of order that where there are two claimants to a seat and the House is called upon to decide the *prima facie* case (and here are two gentlemen struggling to be sworn in upon certificates) it certainly is the right of the House to hear both certificates read before acting upon either.

Mr. CONVERSE. There is but one certificate from the governor—from the executive; the other papers relate to the merits of the case.

Mr. CALKINS. We have the statement of the Clerk that certificates have been filed in his office and a request made that General Chalmers be sworn in upon those certificates; but the Clerk refused to put his name on the roll and submitted the question—very properly—to the House. This is the first stage at which the question which I now present could be raised; and I wish to save that question, because if the reading of those certificates be in the nature of debate the motion for the previous question would cut off the right to have them read.

Mr. CONVERSE. I insist on my motion.

Mr. CALKINS. A question of order is pending.

The SPEAKER. What is the gentleman's question of order?

Mr. CALKINS. The question of order is this: I now ask that the Clerk read also the certificates, which he has referred to as being in his hands, from the executive officer of Mississippi, relative to the right of General Chalmers to be sworn in on the *prima facie* case.

Mr. TUCKER. I would ask the gentleman from Indiana whether there is any certificate, according to the law of Mississippi, signed by the executive of the State, in favor of General Chalmers?

Mr. CALKINS. I will answer the gentleman by saying, if he refers to what I know about it personally, that it is my wish to present to the House a question of law arising upon the statutes of Mississippi on that point. Whether the governor has signed any certificate or not I do not know, but that the secretary of state under the law has made a certificate I do know as a matter of fact, which I think under a fair construction of the statutes of Mississippi entitles General Chalmers to a *prima facie* seat upon the floor.

Mr. BELFORD. If the gentleman from Indiana will yield to me for one moment I will call the attention of my Democratic friends to a precedent which while exceedingly unpleasant to me was very effective to them. [Laughter.] You on that side of the House now have so large a majority you can afford to be decent in this Congress. The precedent I wish to refer to, made by my Democratic friends on the other side, is this: I was elected to the Forty-fifth Congress [interruption and laughter]—you can answer me when I get through. I was elected to the Forty-fifth Congress. I had the certificate from the governor of Colorado. I had a majority of 2,700 honest votes in my State. I came here and presented that certificate to this House. My competitor, knowing that you gentlemen of the Democratic side had a vast majority and expecting to obtain a seat through your partisan partiality, came here with a canvass from various counties as against my certificate, and you referred my case to the Committee on Elections. If you acted honestly then why should you act otherwise now? [Laughter on the Republican side.]

Mr. MILLS. Permit me for one moment.

Mr. CONVERSE. I rise to a point of order. I insist the pending question shall be disposed of.

The SPEAKER. The Chair has already decided that at this stage of the proceeding these papers could not be read except by consent.

Mr. CONVERSE. I object, and ask for the reading of my resolution.

The SPEAKER. As the Chair understands, they are simply papers which have been filed with the Clerk of the last House, and are not before this House except as evidence.

Mr. CALKINS. I make the further point that the certificate which has been read from the Clerk's desk refers to the fact as certified by the secretary of state to the governor. Upon that certificate he therefore issued this commission. I desire to state that if the certificate of the secretary of state is here it certainly ought to be read in connection with the credentials.

It is as much a part of it as in an instrument referring to another paper, where both must be read before the instrument can be construed.

Mr. MILLS. I desire to make a supplement to the historical statement just presented by the gentleman from Colorado.

Mr. CONVERSE. I object to all debate at this time.

Mr. MILLS. The certificate of the gentleman from Colorado stated that the election was held on a day not authorized by law.

Mr. MONEY. That is so.

Mr. MILLS. The statement on the face of the certificate showed that the election was illegal. That was the reason why the gentleman was not admitted to his seat. [Laughter and applause.]

The SPEAKER. The gentleman from Ohio insists on his objection to the paper being read.

Mr. BELFORD. I think the House at that time received the certificates made out by the county canvassers, and upon a resolution offered by the gentleman from Illinois [Mr. SPRINGER] who sits at my side the House referred that case to the Committee on Elections. That is what they did. A Republican was elected then, and yet they relegated me to the Committee on Elections. [Laughter.]

Mr. MILLS. The Republican was elected in October and the Democrat in November. That is what was the matter.

Mr. CALKINS. I do not desire to wrestle with the opinion of the Chair, and therefore I ask permission of the gentleman from Ohio to have read a section of the law of Mississippi with reference to this certificate of the governor as read.

Mr. CONVERSE. I object until my resolution has been read.

The SPEAKER. The resolution of the gentleman from Ohio will now be read.

The Clerk read as follows:

Whereas Van H. Manning holds the certificate of the governor of the State of Mississippi in due form, giving him the *prima facie* right to a seat on this floor as a Representative of the second district of Mississippi in the Forty-eighth Congress: Therefore,

Resolved, That the said Van H. Manning immediately qualify as a member of this House as a Representative of said district without prejudice to the final right to the seat.

Mr. CONVERSE. On that resolution I ask the previous question.

Mr. CALKINS. Before the gentleman insists—

Mr. KEIFER. I desire to move an amendment.

Mr. CONVERSE. I object, and insist upon my motion.

Mr. CALKINS. I ask the gentleman from Ohio to yield before insisting upon the demand for the previous question, to allow the law bearing upon this subject to be read in the presence of the House.

Mr. CONVERSE. There will be time enough when the previous question is ordered. I object at this time.

Mr. CALKINS. But if the law is read in the presence of the House it may not be necessary to order the previous question.

Mr. CONVERSE. I do not yield.

Mr. COX, of New York. The gentleman from Indiana ought to remember that this side of the House has been frequently compelled to submit to the enforcement of a similar demand from that side.

Mr. CALKINS. If we did wrong, then you ought to do right.

Mr. COX, of New York. We propose to do right. The gentleman from Indiana ought himself to bow to the previous question.

Mr. CONVERSE. I insist upon my motion. I demand the previous question.

The SPEAKER. The question is, Shall the previous question be now ordered?

Mr. CALKINS. If in order, I demand a second.

The SPEAKER. There is no second allowed or required by the rule on this motion.

Mr. MAYO. I would like to ask the gentleman from Ohio a question for information.

Mr. CONVERSE. I must decline to yield for a question.

The SPEAKER. The gentleman from Ohio declines to yield. The question is, Shall the previous question be now ordered?

The question was taken.

Mr. CALKINS. I demand a division.

The House divided; and there were—ayes 159, noes 97.

Mr. CALKINS. I demand tellers.

Tellers were ordered.

Mr. CALKINS and Mr. CONVERSE were appointed tellers.

The House again divided; and the tellers reported—ayes 151, noes 108.

Mr. CALKINS. I demand the yeas and nays.

The yeas and nays were ordered, 68 members voting therefor.

The SPEAKER. The question is will the House now order the previous question, and the Clerk will call the roll.

Mr. KASSON. Before the roll is called I desire to rise to a parliamentary inquiry.

The SPEAKER. The Chair will hear the gentleman from Iowa.

Mr. KASSON. The resolution submitted by the gentleman from Ohio was not distinctly heard in this part of the Hall, and there is some doubt as to its terms—whether the resolution demands, though it does not assert, the right of Mr. Manning to be sworn in at this time.

I ask, therefore, that it be again read for information, so that we may know before being called upon to vote on the resolution whether the House orders him to be sworn in.

The SPEAKER. Without objection the resolution will be again read.

The resolution was again read.

Mr. KASSON. Now I desire to ask the further question, has the House the right to order a man who does not claim his right to a seat on this floor to be sworn in?



Mr. CONVERSE. He does claim his right to a seat upon the floor, and has never admitted to anybody, either publicly or privately, but that he was honestly elected.

Mr. KASSON. The papers which the gentleman from Ohio declines to allow to be read in this connection, if I am correctly informed, show exactly the contrary. I wish he would allow them to be read so that all the facts may appear.

Mr. CONVERSE. I must decline to yield for that purpose. If the gentleman from Iowa will go to the case of the gentleman from Ohio [Mr. MCKINLEY] he will find an exactly parallel case. He presented the certificate of the governor, and we did not object; but we have on file a statement from the secretary of state showing the same state of facts that appear in this case, as we claim.

Mr. KASSON. But the gentleman from Ohio appears here and is claiming his seat. It is publicly alleged that the gentleman from Mississippi referred to in the resolution does not claim his right to a seat.

Mr. CONVERSE. That is entirely a mistake. The gentleman has never admitted, as I have stated, that there was any doubt of his right.

The SPEAKER. This debate is entirely out of order.

Mr. MCKINLEY. Inasmuch as my name has been mentioned in this connection, I simply wish to state that there is no certificate filed with the secretary of state contradicting the certificate of the governor of Ohio in my case.

Mr. CONVERSE. The gentleman is mistaken; there is such a certificate.

Mr. MCKINLEY. I was informed by the secretary of state that there was no such certificate.

Mr. CONVERSE. I filed the certificate myself.

The SPEAKER. The question is on ordering the previous question; and the Clerk will call the roll.

The question was taken; and there were—yeas 162, nays 129, not voting 30; as follows:

## YEAS—162.

Adams, J. J.	Dockery,	King,	Shaw,
Aiken,	Dorsheimer,	Kleiner,	Shelley,
Alexander,	Dowd,	Lamb,	Singleton,
Arnot,	Duncan,	Lanham,	Slocum,
Bagley,	Dunn,	Le Fevre,	Snyder,
Ballentine,	Eaton,	Lewis,	Spriggs,
Barbour,	Eldredge,	Lore,	Stewart, Charles
Barksdale,	Elliott,	Lovering,	Stockslager,
Beach,	Ellis,	Lowry,	Storm,
Bennett,	Ermentrout,	McMillin,	Sumner, C. A.
Blackburn,	Evins, J. H.	Matson,	Sumner, D. H.
Blanchard,	Ferrell,	Maybury,	Talbot,
Bland,	Findlay,	Mayo,	Taylor, J. M.
Blount,	Follett,	Miller, J. F.	Thompson,
Boyle,	Foran,	Mills,	Throckmorton,
Breckinridge,	Forney,	Mitchell,	Tillman,
Broadhead,	Fyan,	Money,	Tucker,
Buchanan,	Geddes,	Morgan,	Tully,
Buckner,	Gibson,	Moulton,	Turner, H. G.
Burnes,	Glascok,	Muldrow,	Turner, Oscar
Cabell,	Graves,	Muller,	Van Alstyne,
Caldwell,	Green,	Murphy,	Vance,
Candler,	Greenleaf,	Murray,	Van Eaton,
Carleton,	Halsell,	Mutchler,	Ward,
Cassidy,	Hancock,	Necce,	Warner, A. J.
Clay,	Hardeman,	Nicholls,	Warner, Richard
Clements,	Hardy,	Oates,	Wellborn,
Cobb,	Hatch, W. H.	Paige,	Wemple,
Collins,	Hemphill,	Pierce,	Wilkins,
Connolly,	Herbert,	Peel, S. W.	Williams,
Converse,	Hewitt, A. S.	Pryor,	Willis,
Cosgrove,	Hewitt, G. W.	Randall,	Wilson, W. L.
Covington,	Hoblitzell,	Reagan,	Winans, John
Cox, S. S.,	Holman,	Reese,	Wise, G. D.
Crisp,	Houseman,	Riggs,	Wolford,
Culbertson, D. B.	Hunt,	Rogers, J. H.	Wood,
Curtin,	Hurd,	Rogers, W. F.	Woodward,
Davidson,	Jones, J. H.	Rosecrans,	Yaple,
Deuster,	Jones, J. K.	Scales,	Young.
Dibble,	Jones, J. T.	Seney,	
Dibrell,	Jordan,	Seymour,	

## NAYS—129.

Adams, G. E.	Davis, G. R.	Horr,	Morse,
Anderson,	Davis, R. T.	Houk,	Nelson,
Atkinson,	Dingley,	Howey,	Nutting,
Barr,	Dunham,	James,	O'Hara,
Bayne,	Ellwood,	Jeffords,	O'Neill, Charles
Belford,	Evans, I. N.	Johnson,	Parker,
Bingham,	Everhart,	Jones, B. W.	Payne,
Bisbee,	Fiedler,	Kasson,	Payson,
Boutelle,	George,	Keifer,	Peelle, S. J.
Brainerd,	Goff,	Kelley,	Perkins,
Brewer, F. B.	Guenther,	Ketcham,	Pettibone,
Brewer, J. H.	Hanback,	Lacey,	Poland,
Browne, T. M.	Harmer,	Laird,	Post,
Brown, W. W.	Hart,	Lawrence,	Potter,
Brumm,	Hatch, H. H.	Libbey,	Price,
Budd,	Haynes,	Long,	Pusey,
Burleigh,	Henderson, D. B.	Lyman,	Ranney,
Calkins,	Henderson, T. J.	Mackey,	Ray, G. W.
Campbell, J. M.	Henley,	McComas,	Ray, Ossian
Cannon,	Hepburn,	McCormick,	Reed,
Chace,	Hill,	McKinley,	Rice,
Cook,	Hiscock,	Millard,	Robinson, G. D.
Cox, W. R.	Hitt,	Miller, S. H.	Robinson, J. S.
Culbertson, W. W.	Holmes,	Milliken,	Rowell,
Cullen,	Holton,	Morey,	Russell,
Cutcheon,	Hooper,	Morrill,	Ryan,
Dargan,	Hopkins,	Morrison,	Skinner, C. R.

Smith,  
Spooner,  
Steele,  
Stephenson,  
Strait,  
Struble,

Taylor, E. B.  
Taylor, J. D.  
Thomas,  
Valentine,  
Wadsworth,  
Wait,

Wakefield,  
Washburn,  
Weaver,  
Weller,  
White, J. D.  
Whiting,

Wise, J. S.  
Worthington,  
York.

## NOT VOTING—30.

Belmont,  
Bowen,  
Breitung,  
Campbell, F.  
Clardy,  
Davis, L. H.  
Finerty,  
Hammond,

Haskell,  
Hutchins,  
Kean,  
Kellogg,  
McAdoo,  
McCoid,  
Ochiltree,  
O'Neill, J. J.

Patton,  
Peters,  
Phelps,  
Rankin,  
Robertson,  
Robinson, W. E.  
Springer,  
Stevens,

Stewart, J. W.  
Stone,  
Townshend,  
White, Milo  
Wilson, James  
Winans, E. B.

So the previous question was ordered.

After the second call of the roll, Mr. CALKINS said: I ask that the reading of the names of members voting be dispensed with.

There was no objection.

Mr. O'NEILL, of Missouri. I desire to know if my name has been recorded.

The SPEAKER. The Chair is informed that the gentleman's name is not recorded.

Mr. O'NEILL, of Missouri. I desire to vote.

The SPEAKER. Under the rules of the House the Speaker has no right to entertain the request of a member to be permitted to vote who has not voted on the first or second roll-call. The gentleman's vote can not be received unless he states that he actually did vote upon this question and that the Clerk failed to record his name.

The result of the vote was then announced as above stated.

Mr. CALKINS. I now move to commit the resolution to the Committee on Elections, when appointed, with the instructions which I send to the desk and ask the Clerk to read.

Mr. COX, of New York. Pending that I move that the House do now adjourn.

Mr. CALKINS. Let the instructions first be read.

The Clerk read as follows:

That the certificate of the governor of Mississippi certifying the election of Hon. Van H. Manning to this Congress from the second Congressional district of Mississippi, together with the certificate of the secretary of state and all other papers in the hands of the Clerk of this House touching the right of Hon. J. R. Chalmers to a seat from said district, in this House, be, and they are hereby, referred to the Committee on Elections, when appointed, who are hereby directed to report to this House without delay which of said parties, if either, is entitled *prima facie* to be sworn in as a member pending the contest on the merits, and not to affect the final right to said seat.

## MEMBER SWORN IN.

Mr. THOMPSON. I rise to a question of the highest privilege. My colleague from Kentucky [Mr. ROBERTSON] is present, and desires to have the oath of office administered.

The SPEAKER. If the gentleman will come forward the oath of office will be administered.

Mr. CALKINS. I will yield for that purpose.

Mr. THOMAS A. ROBERTSON appeared and qualified by taking the prescribed oath.

## ORDER OF BUSINESS.

The SPEAKER. The question is on the motion of the gentleman from New York [Mr. Cox], that the House do now adjourn.

Mr. COX, of North Carolina. I ask the gentleman from New York to withdraw his motion for a moment, that I may move that the House shall meet each day at 12 meridian, until otherwise ordered.

Mr. SPRINGER. I have a resolution, which I send to the desk, and which will accomplish that object.

Mr. RANDALL. I object to any yielding for the resolution.

Mr. SPRINGER. Let the resolution be read. I am sure there will be no objection to it.

The SPEAKER. The Chair has no power to have the resolution read if it be objected to.

Mr. SPRINGER. I think the gentleman from Pennsylvania [Mr. RANDALL] will withdraw his objection.

Mr. RANDALL. I decline to withdraw the objection. If I had been going to withdraw it I would not have made it. We can take that up after the pending matter is disposed of.

Mr. SPRINGER. I will state that besides fixing the time for the meeting of the House at 12 o'clock, my resolution makes our time that of the 75th meridian, so as to conform to railway time.

The SPEAKER. To the consideration of that resolution the Chair understands the gentleman from Pennsylvania [Mr. RANDALL] to object.

Mr. RANDALL. I object to anything except the regular order.

The SPEAKER. Does the gentleman object to the motion of the gentleman from North Carolina [Mr. Cox], that the daily hour of the meeting of the House until otherwise ordered shall be 12 o'clock meridian?

Mr. KEIFER. The part of the resolution which relates to the daily hour of meeting being 12 o'clock should be considered in order, but the balance of the resolution is not.

The SPEAKER. The Chair understands the resolution offered by the gentleman from North Carolina [Mr. Cox] relates to no subject except fixing the daily hour of meeting of the House. The effect of the

resolution of the gentleman from Illinois [Mr. SPRINGER] is to adopt a new method of calculating time.

Mr. SPRINGER. We have now no time of meeting; we can fix the hour of twelve or ten minutes before twelve.

The SPEAKER. The Chair understands that we have the actual time.

Mr. SPRINGER. But we have not adopted the actual time; that is all.

The SPEAKER. The question is on the motion of the gentleman from North Carolina [Mr. Cox].

Mr. SPRINGER. Would not my motion be in order as an amendment?

The SPEAKER. The Chair thinks not.

Mr. SPRINGER. Why not?

The SPEAKER. Because the Chair thinks the resolution of the gentleman from Illinois [Mr. SPRINGER] relates to an entirely separate and distinct subject.

Mr. SPRINGER. The Chair has not heard it read yet.

The SPEAKER. The gentleman himself has stated what it was.

Mr. SPRINGER. It simply states that the hour of meeting of the House shall be 12 o'clock of the seventy-fifth meridian.

SEVERAL MEMBERS. Regular order.

The SPEAKER. The question is on the motion of the gentleman from North Carolina.

The motion was agreed to.

The SPEAKER. The question recurs on the motion of the gentleman from New York [Mr. Cox], that the House do now adjourn.

Mr. CALKINS. Pending the motion of the gentleman from New York [Mr. Cox], it has been suggested that it is desirable on the part of the other side of the House to perfect the organization of the House to-night. I therefore suggest to the gentleman from Ohio [Mr. CONVERSE] to allow this matter to go over without prejudice, in order that the organization of the House may be perfected to-night if desired. Many members objected.

The SPEAKER. Objection being made to the suggestion of the gentleman from Indiana [Mr. CALKINS], the question is on the motion to adjourn.

The motion was agreed to upon a division—ayes 159, noes 70; and accordingly (at 3 o'clock and 40 minutes p. m.) the House adjourned.

#### PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BLAND: Papers relating to the claim of C. P. Culver, J. R. Randall, and others, and of Mrs. C. P. Culver—severally to the Committee on Claims.

By Mr. DIBRELL: Papers relating to the claim of St. Peter and St. Paul's Church, of Chattanooga, Tennessee; of the heirs of Matthew Allison, of Samuel Edmondson, and of F. E. Stewart, administrator of the estate of Michael S. Stewart, deceased—severally to the Committee on War Claims.

By Mr. DUNN: Paper relating to the claim of the National Bank of Western Arkansas—to the Committee on Claims.

Also, papers relating to the claim of Leander M. Black—to the same committee.

Also, papers relating to the claim of Sewell Coulson and Porter, Harrison & Fishback—to the same committee.

Also, the petition of the heirs of Calvin B. Cunningham for relief—to the Committee on the Judiciary.

By Mr. JOHN H. EVINS: Papers relating to the claim of Dr. Theodore Dehon—to the Committee on Claims.

Also, papers relating to the claim of Charles B. Roberts—to the same committee.

By Mr. HARDY: Papers relating to the claim of Charles Marklein, late sutler of the One hundred and seventy-eighth New York Volunteers—to the Committee on War Claims.

By Mr. SINGLETON: The petitions of personal representatives of Irvine & Field, and of personal representatives of Ayres P. Merrill, deceased, for relief—severally to the same committee.

By Mr. TUCKER: Papers relating to the claim of Moses Lacy—to the same committee.

Also, the petitions of J. Henry Rives and of J. D. Morrison, for relief—severally to the Committee on Ways and Means.

#### SENATE.

TUESDAY, December 4, 1883.

Prayer by the Chaplain, Rev. J. J. BULLOCK, D. D.  
CHARLES W. JONES, a Senator from the State of Florida, appeared in his seat to-day.

The Journal of yesterday's proceedings was read and approved.

#### COURT OF CLAIMS REPORT.

The PRESIDENT *pro tempore* laid before the Senate the report of the chief clerk of the Court of Claims, communicating, in obedience to law,

a statement of the judgments rendered by that court during the year ending December 3, 1883, &c.; which was ordered to lie on the table and be printed.

#### REPORTS OF SERGEANT-AT-ARMS.

The PRESIDENT *pro tempore* also laid before the Senate the annual report of the Sergeant-at-Arms of the Senate, communicating, in obedience to law, a full and complete statement of all the property in his possession belonging to the United States December 3, 1883; which was ordered to lie on the table and be printed.

He also laid before the Senate a report of the Sergeant-at-Arms of the Senate on the subject of the sale of waste paper, old carpets, and condemned furniture; which was ordered to lie on the table and be printed.

He also laid before the Senate a letter of the Sergeant-at-Arms of the Senate, submitting a report of Chief Engineer T. A. Jones on heating and ventilating the Senate Chamber; which was ordered to be printed, and to be referred to the Committee on Public Buildings and Grounds when appointed.

#### REPORT OF SECRETARY OF THE SENATE.

The PRESIDENT *pro tempore* laid before the Senate the report of the Secretary of the Senate, communicating, in obedience to law, a statement of the receipts and expenditures of the Senate from July 1, 1882, to June 30, 1883, and a full and complete account of all property in his possession belonging to the United States December 3, 1883; which was ordered to lie on the table and be printed.

#### PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented a joint memorial of the council and house of representatives of the Territory of Montana, pertaining to the boundaries of the Yellowstone National Park; which was ordered to lie on the table, to be referred to the Committee on Territories when appointed.

He also presented a joint memorial of the council and house of representatives of the Territory of Montana in favor of an increase of compensation to surveyors for surveying public lands; which was ordered to lie on the table, to be referred to the Committee on Public Lands when appointed.

He also presented a joint memorial of the council and house of representatives of the Territory of Montana concerning the treatment of Indians and depredations committed by them upon white settlers and their property; which was ordered to lie on the table, to be referred to the Committee on Indian Affairs when appointed.

He also presented a petition of members of Troop L, Tenth United States Cavalry, stationed at Fort Stockton, Tex., praying that pensions be granted after certain length of service in the Army; which was ordered to lie on the table, to be referred to the Committee on Pensions when appointed.

He also presented the petition of Gilbert Morton, ensign United States Navy, retired, praying restoration to his former rank; which was ordered to lie on the table, to be referred to the Committee on Naval Affairs when appointed.

He also presented a memorial of the New York Chamber of Commerce in memory of the late ex-Governor Edwin D. Morgan, of that State, and formerly a United States Senator, which was ordered to lie on the table.

Mr. LOGAN presented a petition of the Board of Trade of Chicago, Ill., praying for the passage of a bankrupt law; which was ordered to lie on the table, to be referred to the Committee on the Judiciary when appointed.

Mr. DAWES. I desire to present as a memorial a resolution of the Legislature of Massachusetts relative to the French spoliation claims. I ask that it may be read and laid upon the table, to be referred at the proper time.

The resolution was read, as follows:

COMMONWEALTH OF MASSACHUSETTS,

In the year one thousand eight hundred and eighty-three.

Resolution relative to the French spoliation claims.

Resolved, That the Senators and Representatives of Massachusetts in the United States Congress are requested to use their best endeavors to secure the passage of the Senate French spoliation claims bill during the present session of Congress.

HOUSE OF REPRESENTATIVES,

February 21, 1883.

Adopted and sent up for concurrence.

EDWARD A. McLAUGHLIN, Clerk.

Adopted in concurrence.

SENATE, February 28, 1883.

S. N. GIFFORD, Clerk.

A true copy.

Attest:

EDWARD A. McLAUGHLIN,  
Clerk of the House of Representatives.

The PRESIDENT *pro tempore*. The memorial will lie on the table and be printed.

Mr. COKE. I ask leave to present a memorial, which is brief, and I desire that, without being read, it may be printed in the CONGRESSIONAL RECORD of to-morrow.

The PRESIDENT *pro tempore*. Will the Senator please state the nature of the memorial?